

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK DIVISION**

Mary Janoff
5219 Ravens Crest Dr.
Plainfield, NJ 08536

Plaintiff,

v.

NorthStar Location Services, LLC
4285 Genesee St.
Cheektowaga, NY 14225

Defendant.

Case No.:

Judge:

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT
COLLECTION PRACTICES ACT,
INVASION OF PRIVACY, AND OTHER
EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

JURISDICTION AND VENUE

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

FACTS COMMON TO ALL COUNTS

2. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
3. Plaintiff incurred a “debt” as defined by 15 U.S.C. §1692a(5).
4. At the time of the communications referenced herein, Defendant either owned the debt or was retained by the owner to collect the debt.
5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).
6. Plaintiff filed this claim within the timeframe permitted under the FDCPA.
7. In or around March 2009, Defendant communicated with Plaintiff.
8. Between March 2009 and May 2009, Defendant telephoned Plaintiff’s father (“Father”) on numerous occasions and left voice messages.
9. At the time of these communications, Defendant had Plaintiff’s location information.

10. During at least one of these communications, Defendant disclosed the nature, existence, and/or amount of the debt to Father.
11. Defendant damaged Plaintiff emotionally and mentally and caused Plaintiff substantial anxiety and stress.
12. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

13. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
14. Defendant violated 15 U.S.C. §1692c in that it communicated with a third party and failed to comply with 15 U.S.C. §1692b.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

15. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
16. Defendant violated 15 U.S.C. §1692c in that it communicated with a third party and disclosed that Plaintiff owed the debt.

COUNT THREE

Violation of the Fair Debt Collection Practices Act

17. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
18. Defendant violated 15 U.S.C. §1692c in that it communicated with a third party more than once and is without justification for multiple contacts.

COUNT FOUR

Violation of the Fair Debt Collection Practices Act

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

20. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect the debt.

COUNT FIVE

Invasion of Privacy by Public Disclosure of a Private Fact

21. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

22. Defendant released information which was private to Plaintiff and concerned Plaintiff's private life to Plaintiff's father.

23. Defendant's disclosure of Plaintiff's debt to this person is highly offensive.

24. The information disclosed is not of legitimate concern to the public.

JURY DEMAND

25. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

26. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. Judgment, in an amount to be determined at trial, against Defendant for the Invasion of Privacy by Public Disclosure of a Private Fact.
- c. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Macey & Aleman, P.C.

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